statute authorizing the taking of such a protected property right must therefore provide reasonable means for compensation, prior or subsequent. *State* v. *City of Perth Amboy*, 52 N. J. L. 132, 18 Atl. 670; *Tuttle* v. *Justices of Knox County*, 89 Tenn. 157, 14 S. W. 486. See COOLEY, CONSTITUTIONAL LIMITATIONS, 7 ed., p. 813. It is also essential, except in three or four jurisdictions, that some sort of notice be given to the property owner before or after condemnation. See 2 LEWIS, EMINENT DOMAIN, 3 ed., § 564. Even where a statute does not specifically provide for notice, its constitutionality is usually upheld by implying a requirement for notice. See *Peoria & R. I. Ry. Co.* v. *Warner*, 61 Ill. 52. It seems better, however, to avoid such judicial legislation and hold void a statute which makes no provision for reasonable notice. *Savannah, F. & W. Ry. Co.* v. *Mayor*, 96 Ga. 680, 23 S. E. 847; *Board of Education* v. *Aldredge*, 13 Okla. 205, 73 Pac. 1104. In the principal case, the filing of a map to close the street was the only notice prescribed by the statute. The filing of a notice of appropriation in the registry of deeds has been held sufficient constructive notice in another jurisdiction to bar all right to compensation after three years. *Appleton* v. *City of Newton*, 178 Mass. 276, 56 N. E. 648. But (unless it can be said that the abandonment of the street by the city would itself carry the necessary notice) the doctrine of the principal case seems preferable, and the decision must be supported. It is settled, however, that if the landowner is protected by adequate notice, the mere fact that the statute throws upon the landowner the duty to seek compensation within a fixed time will not render it unconstitutional. *Banse* v. *Town of Clark*, 69 Minn. 53, 71 N. W. 819; *Barker* v. *Southern Ry. Co.*, 137 N. C. 214, 49 S. E. 115.

EVIDENCE — CHARACTER OF PARTIES — CRIMINAL PROSECUTION FOR ADULTERY: CHARACTER OF THE ALLEGED PARTICIPANT. — At the trial of an indictment for adultery, the defendant offered evidence of the good character of the woman with whom he was charged to have committed the offense. The evidence was excluded. *Held*, that the evidence should have been admitted. *Glover* v. *State*, 82 S. E. 602 (Ga. App.).

According to the general rule applicable in civil cases, the character of the defendant is not admissible on the issue of his adultery in an action for divorce. *Humphrey* v. *Humphrey*, 7 Conn. 116. But see 13 HARV. L. REV. 607. The defendant's character is equally inadmissible in criminal prosecutions for adultery, unless he takes advantage of the established exception allowing the criminal defendant to offer evidence of his own good character. *State* v. *Snyder*, 86 Vt. 449, 85 Atl. 984. But when the character of a third party is offered, the character rule applies with much diminished force, and the tendency is to treat the evidence like other collateral matter. See 1 WIGMORE, EVIDENCE, § 68. When adultery is in issue, therefore, since the proof must necessarily be largely circumstantial, and the character of the participant is usually quite relevant, the considerations favoring admissibility generally prevail. Thus, in a criminal action like that in the principal case, the good character of the alleged participant may be shown by the defendant to refute the charge. *Commonwealth* v. *Gray*, 129 Mass. 474. On the same principle, the prosecution may show the bad character of the participant. *State* v. *Eggleston*, 45 Ore. 346, 77 Pac. 738; *Sutton* v. *State*, 124 Ga. 815, 53 S. E. 381; *State* v. *Nieburg*, 86 Vt. 392, 85 Atl. 769. *Contra*, *Guinn* v. *State*, 65 S. W. 376 (Tex. Crim. App.). Similar rules govern evidence of this kind in civil suits for divorce on the ground of adultery. *Marble* v. *Marble*, 36 Mich. 386; *Clement* v. *Kimball*, 98 Mass. 535.

EVIDENCE — DECLARATIONS CONCERNING MENTAL STATE — DECLARATIONS OF PRESENT INTENTION AS PROOF OF EXISTING FACT. — In a suit by